

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WARREN DURHAM JR.,
Plaintiff

V.

CITY OF ERIE, ET AL.

) C.A. No. 04-297 ERIE
)
) District Judge McLaughlin
) Magistrate Judge Baxter
)

MOTION REQUESTING RECONSIDERATION OF ORDER

COMES NOW, Warren Durham Jr., Plaintiff in the above matter, requesting this Court to reconsider its order dated May 16, 2006, granting in part Defendant Tackett's motion for sanctions, and the Court's order that no further discovery be allowed.

1. The Plaintiff has no monies to reimburse the state Attorney General's office for counsel's travel expenses within five business days. The Plaintiff is currently receiving General Relief from the State of Ohio and the United States Army Veterans Administration. He is also currently receiving mental and physical medical treatments because of the 8 1/2 years of unjust and illegal imprisonment, and because of his conditions is unable to work. The Plaintiff has continuous appointments with doctors and therefore require a greater advance notice so that he may cancel medical appointments scheduled weeks before.

2. The Plaintiff is otherwise receiving financial support from his remaining family members for toiletries and other items not covered by the V.A. and General Relief. The Plaintiff is requesting that reimbursement, at the least, be delayed until such time that the Plaintiff can reasonably afford the cost, if the Court deems such should still be paid.

3. The Plaintiff never received any order from this Court dated March 24, 2006, concerning case management deadlines in this case. It is severe and unreasonable if the Plaintiff is prohibited from further discovery because his order may have been lost in the mail or misplaced before it reached his mailbox.

U.S. DISTRICT COURT
CLERK

06 MAY 22 PM 2:45

FILED

WHEREFORE, it is respectfully requested that this Honorable Court reconsider its order of May 16, 2006.

Respectfully submitted,


WARREN DURHAM JR.

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FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WARREN DURHAM JR.,)	C.A. No. 04-297 ERIE
Plaintiff)	
V.)	District Judge McLaughlin
)	Magistrate Judge Baxter
CITY OF ERIE, ET AL.)	
Defendants.)	

CERTIFICATE OF SERVICE


I, Warren Durham Jr., hereby certify that I am this day serving a true and correct copy of the foregoing "Motion Requesting Reconsideration of Order" upon the persons named below by FIRST CLASS MAIL, postage prepaid, to:

Mark E. Mioduszewski, Esq.
120 West Tenth Street
Erie, Pa. 16501

Edmond R. Joyal, Esq.
975 Two Chatham Center
Pittsburgh, Pa. 15219

Kemal Alexander Mericli, Esq.
564 Forbes Avenue
Pittsburgh, Pa. 15219

A. Taylor Williams, Esq.
1515 Market Street, Suite 1414
Philadelphia, Pa. 19102


WARREN DURHAM JR.
12119 MATHERSON AVE.
CLEVELAND, OH. 44135

DATED: 5/16/06